

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

THE PENN MUTUAL LIFE INSURANCE  
COMPANY  
v. Civil Action No. DKC 09-0578  
JONATHAN S. BERCK, as trustee :  
of THE MARVIN ROSENBLATT :  
IRREVOCABLE TRUST :

**ORDER**

For the reasons stated in the foregoing Memorandum Opinion, it is this 23<sup>rd</sup> day of March, 2010, by the United States District Court for the District of Maryland, ORDERED that:

1. The motion to dismiss Plaintiff's amended complaint (Paper 23) filed by Defendant, BE, and the same hereby IS, DENIED;

2. The motion for leave to file a second amended complaint (Paper 40) BE, and the same hereby IS, GRANTED;

3. The clerk is directed to detach and file the Second Amended Complaint from Paper 40; and

4. The Clerk will transmit copies of this Memorandum Opinion and Order to counsel for the parties.

/s/  
DEBORAH K. CHASANOW  
United States District Judge